

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARLON E. PAGTAKHAN,

No. C 08-2188 SI (pr)

Plaintiff,

**ORDER LIFTING STAY, RE-
OPENING ACTION, AND SETTING
DEADLINE FOR AMENDED
COMPLAINT**

v.

JOHN DOE, detective; et al.,

Defendants.

On September 29, 2008, this action was stayed and administratively closed because plaintiff's claims called into question the validity of an ongoing criminal case (including competency proceedings) against plaintiff. *See* Docket # 11.

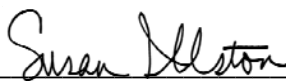
Recently, plaintiff moved to lift the stay and requested leave to amend his complaint. Docket # 29. In his motion, plaintiff stated that the reason for the stay no longer exists because the criminal charges against him were dismissed. Upon due consideration, plaintiff's motion to lift the stay is GRANTED. (Docket # 29.) The stay is lifted and the clerk will re-open the case file.

Plaintiff also requested leave to file an amended complaint. The request is GRANTED. The amended complaint must be filed no later than **September 7, 2012**. Although plaintiff requested sixty days to prepare an amended complaint, that is an unnecessarily long amount of time in light of the fact that plaintiff is no longer in custody. Plaintiff should re-read the Order

1 To Stay Proceedings and Administratively Close the Case (Docket # 11) because that order
2 discusses several problems in his original complaint.

3 IT IS SO ORDERED.

4 Dated: August 2, 2012


SUSAN ILLSTON
United States District Judge